

CALIFORNIA STATE BOARD OF EDUCATION

State Board Members

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Joe Nuñez, Vice President

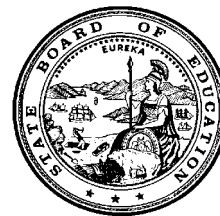
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Vacancy

Secretary & Executive Officer
Hon. Jack O'Connell

Executive Director
Rae Belisle

AGENDA

November 12-13, 2003



SCHEDULE OF MEETING

Wednesday, November 12, 2003

9:00 a.m. ±

STATE BOARD OF EDUCATION
Closed Session – IF NECESSARY
(The public may not attend.)

LOCATION

California Department of Education

1430 N Street, Room 1101
Sacramento, California
(916) 319-0827

The Closed Session (1) may commence earlier than 9:00 a.m.; (2) may begin at or before 9:00 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 9:00 a.m.

CLOSED SESSION AGENDA

Under *Government Code* section 11126(e)(1), the State Board of Education hereby provides public notice that some or all of the pending litigation which follows will be considered and acted upon, as necessary and appropriate, in closed session:

- *Acevedo, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No. 03CS00827
- *Adkins, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No. 03CS00938
- *Aguayo, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No. 03CS00825
- *Amy v. California Dept. of Education, et al.*, Los Angeles County Superior Court, Case No. 99CV2644LSP
- *Boyd, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No. 01CS00136
- *Brian Ho, et al., v. San Francisco Unified School District, et al.*, United States District Court, Northern District of California, Case No. C-94-2418 WHO
- *Buckle, et al. v. State of California, et al.*, Sacramento County Superior Court, Case No 03CS00826
- *California Association of Private Special Education Schools, et al., v. California Department of Education, et al.*, Los Angeles County Superior Court, Case No. BC272983
- *California Department of Education, et al., v. San Francisco Unified School District, et al.*, San Francisco Superior Court, Case No. 994049 and cross-complaint and cross-petition for writ of mandate and related actions
- *California State Board of Education v. Delaine Eastin, the Superintendent of Public Instruction for the State of California*, Sacramento County Superior Court, Case No. 97CS02991 and related appeal
- *Californians for Justice Education Fund, et al. v. State Board of Education*, San Francisco City/County Superior Court, Case No. CPF-03-50227

For more information concerning this agenda, please contact Rae Belisle, Executive Director of the California State Board of Education, or Deborah Franklin, Education Policy Consultant, at 1430 N Street, Room 5111, Sacramento, CA, 95814; P.O. Box 944272, Sacramento, CA 94244-2720; telephone (916) 319-0827; fax (916) 319-0175. To be added to the speaker's list, please fax or mail your written request to the above-referenced address/fax number. **This agenda is posted on the State Board of Education's website: www.cde.ca.gov/board.**

California State Board of Education

AGENDA.....November 12-13, 2003

- *Campbell Union High School District, et al. v. State Board of Education, et al.*, Sacramento Superior Court, Case No. 99CS00570
- *Chapman, et al. v. California Department of Education, et al.*, United States District Court, Northern District of California, Case No. C-01-1780 BZ
- *City Council of the City of Folsom v. State Board of Education*, Sacramento County Superior Court, Case No. 96-CS00954
- *Coalition for Locally Accountable School Systems v. State Board of Education*, Sacramento County Superior Court, Case No. 96-CS00939
- *Comité de Padres de Familia v. Honig*, Sacramento County Superior Court, Case No. 281124; 192 Cal.App.3d 528 (1987)
- *Crawford v. Honig*, United States District Court, Northern District of California, C-89-0014 DLJ
- *CTA, et al. v. Wilson*, United States District Court, Central District of California, Case No. 98-9694 ER (CWx) and related appeal
- *Daniel, et al. v. State of California, et al.*, Los Angeles Superior Court, Case No. BC214156.
- *Donald Urista, et al. v. Torrance Unified School District, et al.*, United States District Court, Central District of California, Case No. 97-6300 ABC
- *Educational Ideas, Inc. v. State of California, et al.*, Sacramento County Superior Court, Case No. 00CS00798
- *Emma C., et al. v. Delaine Eastin, et al.*, United States District Court, Northern District of California, Case No. C 96 4179
- *EMS-BP, LLC, Options for Youth Burbank, Inc. et al. v. California Department of Education, et al.*, Sacramento County Superior Court, Case No. 03CS01078 / 03CS01079
- *Ephorm, et al. v. California Board of Education, et al.*, Los Angeles Superior Court, Case No. TC013485
- *Larry P. v. Riles*, 495 F.Supp 926 (N.D. Ca. 1979) aff'd in part, rev'd in part, 793 F.2d 969 (9th Cir. 1986)
- *Maria Quiroz, et al. v. State Board of Education, et al.*, Sacramento County Superior Court, Case No. 97CS01793 and related appeal
- *Maureen Burch, et al. v. California State Board of Education*, Los Angeles County Superior Court, Case No. BS034463 and related appeal
- *McNeil v. State Board of Education*, San Mateo County Superior Court, Case No. 395185
- *Meinsen, et al. v. Grossmont Unified School District, et al.*, C 96 1804 S LSP, U.S. District Court, Southern District of California (pending)
- *Ocean View School District, et al. v SBE, et al.*, Superior Court of San Francisco, Case No. CGC-02-406738
- *Pazmino, et al. v. California State Board of Education, et al.*, San Francisco City/County Superior Court, Case No. CPF-03-502554
- *Porter, et al., v. Manhattan Beach Unified School District, et al.*, United States District Court, Central District, Case No. CV-00-08402
- *Roxanne Serna, et al., v. Delaine Eastin, State Superintendent of Public Instruction, et al.*, Los Angeles County Superior Court, Case No. BC174282
- *San Francisco NAACP v. San Francisco Unified School District, et al.*, United States District Court, Northern District of California, Case No. 78-1445 WHO
- *San Mateo-Foster City School District, et al., v. State Board of Education*, San Mateo County Superior Court, Case No. 387127
- *San Rafael Elementary School District v. State Board of Education, et al.*, Sacramento County Superior Court, Case No. 98-CS01503 and related appeal
- *Shevtsov v. California Department of Education*, United States District Court, Central District of California, Case No. CV 97-6483 IH (CT)
- *Valeria G., et al. v. Wilson, et al.*, United States District Court, Northern District of California, Case No. C-98-2252-CAL; *Angel V. v. Davis*, Ninth Circuit No. 01-15219
- *Wilkins, et al., v. California Board of Education, et al.*, Los Angeles Superior Court, Case No. TC014071
- *Williams, et al. v. State of California, et al.*, San Francisco Superior Court, Case No. 312236
- *Wilson, et al. v. State Board of Education, et al.*, Los Angeles Superior Court, Case No. BC254081

Under *Government Code* section 11126(e)(2), the State Board of Education hereby provides public notice that it may meet in closed session to determine whether, based on existing facts and circumstances, any matter presents a significant exposure to litigation [see *Government Code* section 11126(e)(2)(B)(ii)] and, if so, to proceed with closed session consideration and action on that matter, as necessary and appropriate [see *Government Code* section 11126(e)(2)(B)(i)]; or, based on existing facts and circumstances, if it has decided to initiate or is deciding whether to initiate litigation [see *Government Code* section 11126(e)(2)(C)].

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California State Board of Education

AGENDA.....November 12-13, 2003

Under *Government Code* section 11126(c)(14), the State Board of Education hereby provides public notice that it may meet in closed session to review and discuss the actual content of pupil achievement tests (including, but not limited to, the High School Exit Exam) that have been submitted for State Board approval and/or approved by the State Board.

Under *Government Code* section 11126(a), the State Board of Education hereby provides public notice that it may meet in closed session regarding the appointment, employment, evaluation of performance, or dismissal of employees exempt from civil service under Article VII, Section 4(e) of the California Constitution.

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Wednesday, November 12, 2003

9:00 a.m. ± (Upon Adjournment of Closed Session, if held)

STATE BOARD OF EDUCATION
Public Session

California Department of Education

1430 N Street, Room 1101
Sacramento, California
(916) 319-0827

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

Thursday, November 13, 2003

8:00 a.m. ±

STATE BOARD OF EDUCATION
Closed Session – IF NECESSARY
(The public may not attend.)

California Department of Education

1430 N Street, Room 1101
Sacramento, California
(916) 319-0827

Please see Closed Session Agenda above. The Closed Session (1) may commence earlier than 8:00 a.m.; (2) may begin at or before 8:00 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 8:00 a.m.

Thursday, November 13, 2003

8:00 a.m. ± (Upon Adjournment of Closed Session, if held)

STATE BOARD OF EDUCATION
Public Session

California Department of Education

1430 N Street, Room 1101
Sacramento, CA 95814
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Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

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California State Board of Education

AGENDA.....November 12-13, 2003

ALL TIMES ARE APPROXIMATE AND ARE PROVIDED FOR CONVENIENCE ONLY
ALL ITEMS MAY BE RE-ORDERED TO BE HEARD ON ANY DAY OF THE NOTICED MEETING
THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Persons wishing to address the State Board of Education on a subject to be considered at this meeting, including any matter that may be designated for public hearing, are asked to notify the State Board of Education Office (see telephone/fax numbers below) by noon of the third working day before the scheduled meeting/hearing, stating the subject they wish to address, the organization they represent (if any), and the nature of their testimony. Time is set aside for individuals so desiring to speak on any topic NOT otherwise on the agenda (please see the detailed agenda for the Public Session). In all cases, the presiding officer reserves the right to impose time limits on presentations as may be necessary to ensure that the agenda is completed.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*, any individual with a disability who requires reasonable accommodation to attend or participate in a meeting or function of the California State Board of Education (SBE), may request assistance by contacting the SBE Office, 1430 N Street, Room 5111, P.O. Box 944272, Sacramento, CA, 94244-2720; telephone, (916) 319-0827; fax, (916) 319-0175.

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CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD

Public Session

AGENDA

November 12-13, 2003

Wednesday, November 12, 2003 – 9:00 a.m.± (Upon adjournment of Closed Session if held)

California Department of Education, 1430 N Street, Room 1101, Sacramento, California

Call to Order

Salute to the Flag

Approval of Minutes (September 2003 Meeting)

Announcements

Communications

REPORT OF THE SUPERINTENDENT

SPECIAL PRESENTATIONS

Public notice is hereby given that special presentations for informational purposes may take place during this session.

ITEM 1	STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; State Board office budget; staffing, appointments, and direction to staff; declaratory and commendatory resolutions; update on litigation; bylaw review and revision; review of the status of State Board-approved charter schools as necessary; and other matters of interest.	INFORMATION ACTION
ITEM 2	PUBLIC COMMENT. Public Comment is invited on any matter <u>not</u> included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.	INFORMATION
ITEM 3	Report on Student Advisory Board on Education.	INFORMATION

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California State Board of Education

AGENDA.....November 12-13, 2003

ITEM 4	Standardized Testing and Reporting (STAR) Program – Release of 10 percent of Contract Costs to Educational Testing Service (ETS) for 2002-2003 Content Standards Test (CST) and California Achievement Test (CAT/6) STAR Contract.	INFORMATION ACTION
ITEM 5	Standardized Testing and Reporting (STAR) Program – Including, but not limited to, Release of 10 percent of Contract Costs to CTB/McGraw-Hill for 2002-2003 Spanish Assessment of Basic Education (SABE/2) STAR Contract.	INFORMATION ACTION
ITEM 6	Standardized Testing and Reporting (STAR) Program: Update on 2004 STAR California Standards Test (CST) and California Achievement Test, Sixth Edition (CAT/6) Parent Report.	INFORMATION ACTION
ITEM 7	Standardized Testing and Reporting (STAR) Program – Update on 2004 STAR California Alternate Performance Assessment (CAPA) Parent Report.	INFORMATION ACTION
ITEM 8	California Assessment System: Test Item Release Plan for the California Standards Tests (CSTs), the California High School Exit Examination (CAHSEE), and the California Alternate Performance Assessment (CAPA).	INFORMATION ACTION
ITEM 9	Golden State Seal Merit Diploma: Eligibility Requirements.	INFORMATION ACTION
ITEM 10	Standardized Testing and Reporting (STAR) Program – Adoption of Amended Title 5 STAR Regulations.	INFORMATION ACTION
ITEM 11	2004-05 State Board of Education Student Member: Interview of Six Candidates and Selection of Three Finalists.	INFORMATION ACTION
ITEM 12	Screening Committee review of applications and selection of applicants to be interviewed for appointment to the Curriculum Development and Supplemental Materials Commission.	INFORMATION ACTION
ITEM 13	<i>No Child Left Behind (NCLB) Act of 2001</i> : Including, but not limited to, update on Consolidated State Application.	INFORMATION ACTION

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California State Board of Education

AGENDA.....November 12-13, 2003

ITEM 14	<i>No Child Left Behind Act of 2001: Local Educational Agency Plans required by Section 1112.</i>	INFORMATION ACTION
ITEM 15	<i>No Child Left Behind Act of 2001: Approve Supplemental Educational Service Providers (required by Title 1, Section 1116(e)).</i>	INFORMATION ACTION
ITEM 16	<i>No Child Left Behind Act of 2001: Teacher Requirements (“Highly Qualified Teacher”) – Including, but not limited to, Adoption of Proposed Title 5 Regulations.</i>	INFORMATION ACTION
ITEM 17	Reading First Program – Including, but not limited to, approval of proposed amendment to the California Reading First Plan pursuant to Chapter 773, Statutes of 2003 (AB 1485).	INFORMATION ACTION
ITEM 18	California High School Exit Examination (CAHSEE): Update on CAHSEE activities, including, but not limited to, the Year 4 Independent Evaluation Report and 2002-2003 test results.	INFORMATION ACTION
ITEM 19	California High School Exit Examination (CAHSEE): Re-Evaluation of the CAHSEE Passing Score.	INFORMATION ACTION
ITEM 20	California High School Exit Examination (CAHSEE): Approval of District Apportionment for the 2003-2004.	INFORMATION ACTION
ITEM 21	California English Language Development Test (CELDT) Update: Including, but not limited to, 2002-03 Initial Identification Results.	INFORMATION ACTION
ITEM 22	Academic Performance Index (API): Report on Growth for 2002-03.	INFORMATION
ITEM 23	Immediate Intervention/Underperforming Schools Program (II/USP): Proposed intervention for (Cohorts I and II) schools that failed to show significant growth.	INFORMATION ACTION
ITEM 24	Immediate Intervention/Underperforming Schools Program (II/USP): Schools Assistance and Intervention Team (SAIT): Expenditure plan to support activities and corrective action in non-Title I “state-monitored” schools.	INFORMATION ACTION

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California State Board of Education

AGENDA.....November 12-13, 2003

ITEM 25	Model Application for Charter Schools.	ACTION
ITEM 26	Assembly Bill 1994 Programmatic Implementation: Approve Commencement of the Rulemaking Process for Amendments to Title 5.	ACTION
ITEM 27	Funding for Countywide Charter Schools (Assembly Bill 1994): Approve Commencement of the Rulemaking Process for Amendments to Title 5.	ACTION
ITEM 28	Request by the Academy of Culture and Technology (ACT) to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education.	INFORMATION ACTION

*** PUBLIC HEARINGS***

Public Hearings on each of the following agenda items will commence no earlier than 3:00 p.m. The Public Hearings will be held after 3:00 p.m. as the business of the State Board permits

ITEM 29	Request by the Leadership Public School – San Rafael (LPSSR) to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education.	INFORMATION ACTION PUBLIC HEARING
ITEM 30	Request by The Global School to Approve a Petition to Become a Charter School Under the Oversight of the State Board of Education.	INFORMATION ACTION PUBLIC HEARING

*** END OF PUBLIC HEARINGS ***

ITEM 31	Legislative Update: Including, but not limited to, information on legislation and legislative priorities.	INFORMATION ACTION
ITEM 32	Assignment of Numbers for Charter School Petitions.	ACTION

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California State Board of Education

AGENDA.....November 12-13, 2003

ITEM 33	2002-03 (and beyond) determination of funding requests from charter schools pursuant to Senate Bill 740 (Chapter 892, Statutes of 2001), specifically Education Code Sections 47612.5 and 47634.2, California Code of Regulations, Title 5, Sections 11963 to 11963.6, inclusive: Retroactive approval.	ACTION
ITEM 34	The Principal Training Program (AB 75): Approval of Local Educational Agencies (LEAs) and Consortia applications for funding.	ACTION
ITEM 35	The Principal Training Program (AB 75): Approval of Training Providers.	ACTION
ITEM 36	The Principal Training Program (AB 75): Approval of California Department of Education Module 1: Leadership and Support of Student Instructional Programs High School Level; Day 1 and Day 5 training curriculum.	ACTION
ITEM 37	Mathematics and Reading Professional Development Program (AB 466): Approval of Requests for Local Educational Agencies (LEA) Reimbursement for the 2003-04 Fiscal Year.	ACTION
ITEM 38	Mathematics and Reading Professional Development Program (AB 466) (Chapter 737, Statutes of 2001): Including, but not limited to, Approval of Training Providers and Training Curricula.	ACTION
ITEM 39	High Priority Schools Grant Program: Approval of 12 New High Priority Schools Implementation Grant Awards.	ACTION
ITEM 40	Gifted and Talented Education (GATE): Approval of LEA Applications for Funding.	ACTION
ITEM 41	Title 1 Committee of Practitioners: Approval of Appointments.	INFORMATION ACTION
ITEM 42	Appointments to Child Nutrition Advisory Council (Child Nutrition and Physical Activity Advisory Council).	INFORMATION ACTION

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California State Board of Education

AGENDA.....November 12-13, 2003

ITEM 43	Appointments to Advisory Commission on Charter Schools.	INFORMATION ACTION
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ADJOURNMENT OF DAY’S SESSION

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Thursday, November 13, 2003 – 8:00 a.m.± (Upon adjournment of Closed Session if held)

California Department of Education, 1430 N Street, Room 1101, Sacramento, California

REPORT OF THE SUPERINTENDENT (unless presented on the preceding day)

SPECIAL PRESENTATIONS

Public notice is hereby given that special presentations for informational purposes may take place during this session.

ITEMS DEFERRED FROM PRECEDING DAY

Any matters deferred from the previous day's session may be considered.

The State Board of Education will also consider and take action as appropriate on the following agenda items:

ITEM 44	2004 Health Primary Adoption of Instructional Materials: Revised Timeline.	ACTION
ITEM 45	2005 History-Social Science Primary Adoption Timeline.	ACTION

***** PUBLIC HEARINGS*****

Public Hearings on the following agenda items will commence no earlier than 9:00 a.m. The Public Hearings will be held after 9:00 a.m. as the business of the State Board permits

ITEM 46	2003 Foreign Language Primary Adoption of Instructional Materials: Curriculum Commission Recommendations.	ACTION PUBLIC HEARING
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***** END OF PUBLIC HEARINGS *****

ITEM 47	English Language Development Guide for SRA Open Court 2002.	INFORMATION
ITEM 48	Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST).	INFORMATION
ITEM 49	National Assessment of Educational Progress (NAEP): 2003 Data Release.	INFORMATION

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California State Board of Education

AGENDA.....November 12-13, 2003

ITEM 50	Report of 2003 Physical Fitness Test (PFT) Statewide Test Results.	INFORMATION
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WAIVER REQUESTS

CONSENT MATTERS

The following agenda items include waivers and other administrative matters that California Department of Education (CDE) staff have identified as having no opposition and presenting no new or unusual issues requiring the State Board's attention.

CARL D. PERKINS VOCATIONAL & APPLIED TECHNOLOGY EDUCATION ACT

ITEM WC-1	Request by Waterford Unified School District for a waiver of Section 131 (d)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act of 1998. (Public Law 105-332) CDSIS-5-9-2003 (Recommended for APPROVAL)	ACTION
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ITEM WC-2	Request by Silver Valley Unified School District for a waiver of Section 131 (d)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act of 1998. (Public Law 105-332) CDSIS-7-9-2003 (Recommended for APPROVAL)	ACTION
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FEDERAL WAIVER

ITEM WC-3	Request by Anaheim City School District to waive Title IV, Part A, Section 4115 (a)(1)(C) to use Safe and Drug Free Schools and Communities (SDFSC) funds to support the cost of You Can Do It! Education , a program to help children achieve to the best of their ability. CDSIS-Fed-03-2003 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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ITEM WC-4	Request by Redondo Beach Unified School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(C) to use Safe and Drug Free Schools and Communities funds to support the cost of Hooked on Health a kindergarten through sixth grade health education program. CDSIS-Fed-04-2003 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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California State Board of Education

AGENDA.....November 12-13, 2003

INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)

ITEM WC-5	Request by two school districts for a retroactive waiver of <i>Education Code</i> (EC) Section 60119 regarding Annual Public Hearing on the availability of textbooks or instructional materials. The district had an audit finding for fiscal year 2002-2003 that they 1) failed to hold the public hearing, or 2) failed to properly notice (10 days) the public hearing and/or 3) failed to post the notice in the required three public places. CDSIS-14-7-2003 Turlock Joint Elementary SD CDSIS- 5-8-2003 Woodville Union SD (Recommended for APPROVAL)	ACTION
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REGIONAL OCCUPATIONAL CENTER

ITEM WC-6	Request by the San Antonio Regional Occupational Program to waive <i>Education Code</i> (EC) Section 52314.6 regarding the 3% limit on enrollment of students under the age of 16, in the Regional Occupational Program (ROP) (increase the number of 9th and 10th grade students from 3% to 10%). CDSIS-6-9-2003 (Recommended for APPROVAL WITH CONDITIONS) <i>Education Code</i> (EC) Section 33051(c) will apply	ACTION
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SCHOOL IMPROVEMENT FUNDS (equalization)

ITEM WC-7	Request by the Capistrano Unified School District to waive <i>Education Code</i> (EC) Section 62002 (sunset provision) and 52046(b)(3) in order to share and coordinate the use of School Improvement funds between San Clemente High School and five other high schools in the district. CDSIS-1-8-2003 (Recommended for APPROVAL)	ACTION
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SCHOOL SITE COUNCIL

ITEM WC-8	Request by the Igo-Ono-Platina Union Elementary School District for a waiver of <i>Education Code</i> (EC) Section 52852, allowing one joint school site council to function for two small elementary schools. CDSIS-8-8-2003 Recommended for APPROVAL	ACTION
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California State Board of Education

AGENDA.....November 12-13, 2003

NON-CONSENT (ACTION)

The following agenda items include waivers and other administrative matters that CDE staff have identified as having opposition, being recommended for denial, or presenting new or unusual issues that should be considered by the State Board. On a case by case basis public testimony may be considered regarding the item, subject to the limits set by the Board President or the President's designee; and action different from that recommended by CDE staff may be taken.

COMMUNITY DAY SCHOOL (co-location)

ITEM W-1	Request by the Dixon Unified School District for a waiver of <i>Education Code</i> (EC) Section 48661(a) relating to the placement of a community day school on the same site as a continuation high school. CDSIS-9-8-2003 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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EQUITY LENGTH OF TIME

ITEM W-2	Request by Pioneer Union School District for a renewal waiver of <i>Education Code</i> (EC) Section 37202, equity length of time requirement, to allow a half-year full day kindergarten program at Grizzly Pines Elementary School . CDSIS-19-7-2003 (Recommended for APPROVAL WITH CONDITIONS) <i>Education Code</i> (EC) Section 33051(c) will apply	ACTION
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ITEM W-3	Request by Fresno Unified School District for a renewal waiver of <i>Education Code</i> (EC) Section 37202, equity length of time requirement to allow a full day kindergarten pilot program at Burroughs, Greenberg and Winchell Elementary Schools . CDSIS-3-9-2003 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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EXTENDED SCHOOL YEAR (SPECIAL EDUCATION)

ITEM W-4	Request by Anaheim City School District for a renewal to waive <i>Title 5, California Code of Regulations, Section 3043(d)</i> requiring 20 school days (4 hours each) of attendance for extended school year for Special Education students. CDSIS-9-8-2003 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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California State Board of Education

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FEDERAL WAIVERS – SAFE AND DRUG FREE

ITEM W-5	Request by Magnolia School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(C) to use Safe and Drug Free Schools and Communities funds to support the cost of Here's Looking At You , a kindergarten through sixth grade prevention program. CDSIS-Fed-05-2003 (Recommended for DENIAL)	ACTION
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ITEM W-6	Request by Placentia-Yorba Linda Unified School District to waive No Child Left Behind Act (NCLB); Title IV, Part A, Section 4115 (a)(1)(C) to use Safe and Drug Free Schools and Communities funds to support the cost of Here's Looking At You a kindergarten through sixth grade prevention program. CDSIS-Fed-06-2003 (Recommended for DENIAL)	ACTION
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INSTRUCTIONAL MATERIALS SUFFICIENCY (Audit Findings)

ITEM W-7	Request by Franklin Elementary School District for a retroactive waiver of <i>Education Code</i> (EC) Section 60119 regarding Annual Public Hearing on the availability of textbooks or instructional materials. The district had an audit finding for fiscal year 2000-2001 that although the public hearing was held, the district failed to pass a resolution. This is the second year in a row for this district as they had the same audit finding in fiscal year 2001-2002. CDSIS-9-7-2003 (Recommended for APPROVAL)	ACTION
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ITEM W-8	Request by Elk Hills School District for a retroactive waiver of <i>Education Code</i> (EC) Section 60119 regarding Annual Public Hearing on the availability of textbooks or instructional materials. The district had an audit finding for fiscal year 2001-2002 that they failed to hold the public hearing and make a resolution. A subsequent 2002-2003 resolution revealed an insufficiency of textbooks. CDSIS-34-2-2003 (Approval for Recommendation with CONDITIONS)	ACTION
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California State Board of Education

AGENDA.....November 12-13, 2003

INSTRUCTIONAL MATERIALS (Schiff-Bustamante)

ITEM W-9	General waiver request of <i>Education Code</i> (EC) Sections 60450 (b) and 60451(b) – Schiff-Bustamante Standards-Based Instructional Materials Program by Palo Alto Unified School District to purchase non-adopted Instructional Resources (<i>FOSS, Grades K-5, California Edition</i>) using Schiff-Bustamante fund. CDSIS-37-5-2003 (Recommended for PROVISIONAL APPROVAL)	ACTION
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INSTRUCTIONAL MATERIALS FUNDING REALIGNMENT PROGRAM (IMFRP)

ITEM W-10	Petition request under <i>Education Code</i> (EC) Sections 60241(d) and 60200(g) to waive Education Code (EC) Section 60242(a)(1) and 60422(a) by Ontario-Montclair School District to purchase Instructional Resources (<i>Success For All K-1</i>), for Central, Del Norte, Lincoln and Moreno Elementary Schools under the Instructional Materials Funding Realignment Program (IMFRP) monies. CDSIS-29-5-2003 (Pending review of materials by a member of the Curriculum Commission)	ACTION
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ITEM W-11	Petition request under <i>Education Code</i> (EC) Sections 60241(d) and 60200(g) to waive Education Code (EC) Section 60242(a)(1) and 60422(a) by Oakley Union School District to purchase Instructional Resources (<i>Success For All K-1, edition 2</i>), for Gehringer Elementary School with Instructional Materials Funding Realignment Program (IMFRP) monies. CDSIS-52-5-2003 (Pending review of materials by a member of the Curriculum Commission)	ACTION
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ITEM W-12	Petition request under <i>Education Code</i> (EC) Sections 60421(d) and 60200(g) Section 60242(a)(1) and 60422(a) by Edison Charter Academy to purchase non-adopted Instructional Resources (<i>Success For all K-5</i>) using Instructional Materials Funding Realignment Program (IMFRP) monies. CDSIS-7-6-2003 (Pending review of materials by a member of the Curriculum Commission)	ACTION
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California State Board of Education

AGENDA.....November 12-13, 2003

9th GRADE CLASS SIZE REDUCTION (Morgan-Hart)

ITEM W-13	Request by Long Beach Unified School District to waive <i>Education Code</i> (EC) Section 52084 (b) and 52086 (a) under the Morgan-Hart Class Size Reduction Act to permit targeted students to receive intensive instruction through a full year two period core English and/or math course staffed at a 20 to 1 ratio. CDSIS-2-9-2003 (Recommended for APPROVAL WITH CONDITIONS)	ACTION
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END OF WAIVER REQUESTS

ADJOURNMENT OF MEETING

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